

**AMENDMENTS TO THE DRAWINGS**

Figure 1 has been amended: (a) to remove an errant reference numeral “8” (which is representative of the torque converter); (b) to add a reference numeral “8” that points to the torque converter; and (c) to add reference numerals “81” and “82”, which represent the V-shaped pulley grooves of the drive and driven pulleys 16, 26, respectively.

## REMARKS

Applicants request favorable reconsideration of this application in view of the foregoing amendments and the following remarks. Claims 1-5 were pending in the application and were rejected in the Office Action. By way of this amendment, Applicants have amended claims 1-5, which are respectfully presented for further consideration.

### **1. Objection to the Drawings**

The Examiner objected to Figure 1 for an improper labeling of the torque converter 8. Applicants respectfully submit that this objection is now moot due to the amendments made herein to Figure 1. Accordingly, a withdrawal of this objection is both warranted and earnestly solicited.

### **2. Rejection of Claims 1-5 under 35 U.S.C. § 112**

The Examiner rejected claims 1-5 under 35 U.S.C. § 112, ¶ 2 as allegedly being indefinite on the ground that the recitation of “type” in the non-limiting preambles of claims 1-5 rendered the claims indefinite. Without acquiescing to the propriety of this rejection, Applicants have opted to obviate the rejection by removing “type” from the preambles and the bodies of each of claims 1-5. Accordingly, a withdrawal of the rejection of claims 1-5 under § 112 is both warranted and earnestly solicited.

### **3. Rejection of Claims 1-5 under 35 U.S.C. § 102**

The Examiner rejected claims 1-5 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,031,481 (“Algrain”). For at least the following reasons, Applicants respectfully traverse this rejection.

As amended herein, claim 1 (*i.e.*, the claim from which claims 2-4 depend) recites a continuously variable transmission system for use in a vehicle. This system includes, among other possible things (*italic emphasis added*):

a continuously variable transmission comprising:

- a drive pulley, which has a fixed disk and a movable disk disposed opposing the fixed disk to form a V-shaped pulley groove;
- a driven pulley, which has a fixed disk and a movable disk disposed opposing the fixed disk to form a V-shaped pulley groove,
- a V-belt that is fitted into each pulley groove and wound around the drive pulley and driven pulley;

- a first spring for applying an urging force to the movable disk of the drive pulley to urge the movable disk to the corresponding fixed disk side; and
- a second spring for applying an urging force to the movable disk of the driven pulley to urge the movable disk to the corresponding fixed disk side;
- an oil pressure supply device for supplying oil pressure to each movable disk; and
- a clutch for controlling the transmission of torque from an engine of the vehicle to the drive pulley,

wherein a width of each pulley groove is variable in accordance with oil pressure applied to the movable disks,

wherein a gear ratio is set in accordance with the widths of the pulley grooves in the drive pulley and driven pulley,

wherein the first spring sets the pulley width of the drive pulley and the second spring sets the pulley width of the driven pulley when the oil pressure supply device is inoperative, and

*wherein a ratio of spring constants of the first spring and the second spring is set such that when the oil pressure supply device is inoperative, an offset between a median plane of the pulley groove in the drive pulley and a median plane of the pulley groove in the driven pulley is reduced.*

Similarly, as amended herein, claim 5 recites a continuously variable transmission system for use in a vehicle. This system includes, among other possible things (italic emphasis added):

- a continuously variable transmission comprising:
  - a drive pulley, which has a fixed disk and a movable disk disposed opposing the fixed disk to form a V-shaped pulley groove;
  - a driven pulley, which has a fixed disk and a movable disk disposed opposing the fixed disk to form a V-shaped pulley groove,
  - a V-belt that is fitted into each pulley groove and wound around the drive pulley and driven pulley;
  - first urging means for applying an urging force to the movable disk of the drive pulley to urge the movable disk to the corresponding fixed disk side; and
  - second urging means for applying an urging force to the movable disk of the driven pulley to urge the movable disk to the corresponding fixed disk side;
- an oil pressure supply device for supplying oil pressure to each movable disk; and
- a clutch for controlling the transmission of torque from an engine of the vehicle to the drive pulley,

wherein a width of each pulley groove is variable in accordance with oil pressure applied to the movable disks,

wherein a gear ratio is set in accordance with the widths of the pulley grooves in the drive pulley and driven pulley,

wherein the first urging means sets the pulley width of the drive pulley and the second urging means sets the pulley width of the driven pulley when the oil pressure supply device is inoperative, and

*wherein a ratio of spring constants of the first urging means and the second urging means is set such that when the oil pressure supply device is inoperative, an offset between a median plane of the pulley groove in the drive pulley and a median plane of the pulley groove in the driven pulley is reduced.*

As hereafter explained, Algrain fails to teach or suggest the continuously variable transmission systems recited in claims 1 and 5.

Although Algrain teaches first and second pulleys 14, 20 that have movable sheaths (*i.e.*, disks) 16, 22, respectively, Algrain fails to explicitly teach springs associated with each pulley. Moreover, even assuming, *arguendo*, that such springs are implicitly suggested in Algrain, there is no teaching or suggestion that such springs have specifically set spring constants. Even further assuming, *arguendo*, that the spring constants were specifically set, Algrain fails to teach or suggest that the ratio of such spring constants would reduce an offset between a median plane of the pulley groove in the drive pulley 14 and a median plane of the pulley groove in the driven pulley 20, when the oil pressure supply device is inoperative. As a result, Algrain fails to teach or suggest at least the above-italicized limitations of claims 1 and 5.

In light of at least the foregoing reasons, as Algrain fails to teach or suggest each of the limitations of claim 1 and 5, Algrain can not be used to reject either of these claims, or any claim dependent thereon, under 35 U.S.C. § 102(b). Moreover, as claims 2-4 depend from claim 1, each of these dependent claims is also allowable over Algrain, without regard to the other patentable limitations recited therein. Accordingly, a withdrawal of the rejection of claims 1-5 under § 102(b) is both warranted and earnestly solicited.

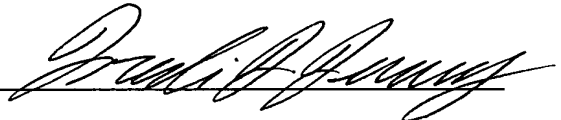
**CONCLUSION**

For the aforementioned reasons, claims 1-5 are now in condition for allowance. A Notice of Allowance at an early date is respectfully requested. The Examiner is invited to contact the undersigned if such communication would expedite the prosecution of the application.

Respectfully submitted,

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